### **CORRECTIONS**

	Budget Summary							
Fund	2018-19 Base Year Doubled	2019-21 Governor	2019-21 Jt. Finance	2019-21 Legislature	2019-21 Act 9		ange Over r Doubled Percent	
GPR FED PR TOTAL	\$2,320,800,400 5,276,200 226,384,800 \$2,552,461,400	\$2,472,275,000 5,342,800 235,858,000 \$2,713,475,800	\$2,440,005,700 5,342,800 234,975,900 \$2,680,324,400	\$2,440,005,700 5,342,800 234,975,900 \$2,680,324,400	\$2,440,005,700 5,342,800 234,975,900 \$2,680,324,400	\$119,205,300 66,600 <u>8,591,100</u> \$127,863,000	5.1% 1.3 3.8 5.0%	

FTE Position Summary						
Fund	2018-19 Base	2020-21 Governor	2020-21 Jt. Finance	2020-21 Legislature	2020-21 Act 9	Act 9 Change Over 2018-19 Base
GPR	9,588.67	9,741.62	9,668.62	9,668.62	9,668.62	79.95
FED	3.00	1.00	1.00	1.00	1.00	- 2.00
PR	536.30	544.30	544.30	544.30	544.30	8.00
TOTAL	10,127.97	10,286.92	10,213.92	10,213.92	10,213.92	85.95

### **Budget Change Items**

## Departmentwide

STANDARD BUDGET ADJUSTMENTS [LFB Paper 1. 230]

	Funding	<b>Positions</b>
GPR	- \$1,546,600	0.00
PR	2,117,200	0.00
FED	66,600	<u>- 2.00</u>
Total	\$637,200	- 2.00

Governor/Legislature: Provide \$348,400 (-\$773,300 GPR, \$1,058,600 PR, and \$63,100 FED) and -2.0 positions in 2019-20 and \$288,800 (-\$773,300 GPR, \$1,058,600 PR, and \$3,500 FED) and -2.0 positions in 2020-21 related to the following standard budget adjustments.

	2019-20				2020-21			
	<u>GPR</u>	<u>PR</u>	<u>FED</u>	FTE	GPR	<u>PR</u>	<u>FED</u>	FTE
Full Funding of Salaries								
and Fringe Benefits	-\$45,966,400	-\$1,044,700	\$241,800		-\$45,966,400	-\$1,044,700	\$241,800	
Turnover Reduction	-11,506,600	-433,900			-11,506,600	-433,900		
Overtime	48,203,800	2,257,200			48,203,800	2,257,200		
Night and Weekend								
Differential Pay	8,495,900	280,000			8,495,900	280,000		
Removal of Noncontinuing	3							
Elements from the Base			<u>-178,700</u>	-2.00			-238,300	-2.00
Total	-\$773,300	\$1,058,600	\$63,100	-2.00	-\$773,300	\$1,058,600	\$3,500	-2.00
Biennium								
	<u>GPR</u>	<u>PR</u>	<u>FED</u>	<u>FTE</u>				
Full Funding of Salaries								
and Fringe Benefits	-\$91,932,800	-\$2,089,400	\$483,600					
Turnover Reduction	23,013,200	-867,800						
Overtime	96,407,600	4,514,400						
Night and Weekend								
Differential Pay	16,991,800	560,000						
Removal of Noncontinuing	g							
Elements from the Base			<u>-417,000</u>	<u>-2.00</u>				
Total	-\$1,546,600	\$2,117,200	\$66,600	-2.00				

Also included under standard budget adjustments are minor transfers of positions within appropriations to align the positions more closely to organization structure, including the transfer of 43.75 positions (42.0 GPR and 1.75 PR), as follows: (a) removing 29.0 positions from the Wisconsin Correctional Center System, 5.0 positions from the Division of Adult Institutions' Central Office, 3.0 positions from the Division of Juvenile Corrections' Central Office, 1.25 positions from the Division of Community Corrections, 1.0 position from Redgranite Correctional Institution, 1.0 position from the Racine Youthful Offender Correctional Facility, 1.0 position from Oshkosh Correctional Institution, 1.0 position from Racine Correctional Institution, 0.75 positions from the Monitoring Center, and 0.75 positions from Correctional Farms; and (b) transferring 7.0 positions to the Division of Adult Institutions' Central Office, 7.0 positions to Oshkosh Correctional Institution, 5.0 positions to Prairie du Chien Correctional Institution, 4.0 positions to the Wisconsin Women's Correctional System, 3.0 positions to Jackson Correctional Institution, 3.0 positions to Oakhill Correctional Institution, 3.0 positions to Columbia Correctional Institution, 3.0 positions to the Lincoln Hills School, 2.0 positions to the Division of Community Corrections, 2.0 positions to the Division of Community Corrections' Central Office, 2.0 positions to the Chippewa Valley Correctional Treatment Facility, 1.0 position to Kettle Moraine Correctional Institution, 1.0 position to the Office of Victim Services and Programs, and 0.75 positions to Badger State Industries.

It should also be noted that under standard budget adjustments, funding for overtime and night and weekend differential are removed in the calculations under "full funding of salaries and fringe benefits." Thus, the amounts budgeted for overtime represent the Department's estimated base cost for overtime. In addition to standard budget adjustment funding, the bill includes supplemental funding for overtime, summarized below.

#### 2. **OVERTIME SUPPLEMENT** [LFB Paper 230]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$28,075,200	- \$7,018,800	\$21,056,400
PR	<u>362,200</u>	<u>- 314,900</u>	<u>47,300</u>
Total	\$28,437,400	- \$7,333,700	\$21,103,700

**Governor:** Provide \$14,037,600 GPR and \$181,100 PR annually for an overtime supplement. Under standard budget adjustments each budget cycle, funding associated with overtime (and night and weekend differential) is removed in the calculations of full funding of salaries and fringe benefits. The budget instructions related to overtime specify that the same dollar amounts only may be restored through the standard budget adjustment for overtime. As a result, the bill would provide overtime funding in the amount provided for the prior biennium, adjusted by the new variable fringe rate (\$48,203,800 GPR and \$2,257,200 PR annually). Based on 2017-18 actual hours of overtime, the bill would provide supplemental funding of \$14,037,600 GPR and \$181,100 PR annually. The bill would provide \$62,241,400 GPR and \$2,438,300 PR annually to fund costs associated with overtime. [Note that program revenue funding associated with the Division of Juvenile Corrections (\$448,700 PR annually) was inadvertently excluded from the overtime supplement and inadvertently included in the standard budget adjustments overtime.]

**Joint Finance/Legislature:** Modify the provision by -\$7,018,800 GPR and -\$314,900 PR in 2020-21. In total, the bill as amended by Joint Finance would provide \$62,241,400 GPR and \$2,438,300 PR in 2019-20, and \$55,222,600 GPR and \$2,123,400 PR in 2020-21 for overtime funding.

#### 3. DEBT SERVICE REESTIMATE

Governor/Legislature: Adjust funding by -\$936,000 GPR and \_\_\_\_\_\_\_ -\$8,063,400 \$1,300 PR in 2019-20 and -\$7,096,000 GPR and -\$32,700 PR in 2020-21 to reflect the current law reestimate of GPR debt services costs. The reestimates include: (a) adult

corrections, -\$951,300 GPR and \$1,300 PR in 2019-20 and -\$7,824,600 GPR and -\$32,700 PR in 2020-21; and (b) juvenile corrections, \$15,300 GPR in 2019-20 and \$728,600 GPR in 2020-21.

#### 4. RISK MANAGEMENT PREMIUM

**Governor/Legislature:** Provide \$3,043,900 GPR and \$492,000 PR annually for increased premium costs associated with liability, property,

	PR	984,000	
R	Total	\$7,071,800	
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. ~ ~ .	mant	program is an	

- \$8,032,000

- 31,400

\$6,087,800

GPR

PR

**GPR** 

and workers compensation insurance coverage. The state's risk management program is an insurance program for state agencies administered by the Department of Administration (DOA). Each year, DOA assesses state agencies risk management premiums based generally on program costs, claims history, and risk exposure.

#### 5. **RENT**

**GPR** \$508,000 PR 46,500 Total \$554,500

Governor/Legislature: Provide -\$44,400 GPR and \$8,200 PR in 2019-20 and \$552,400 GPR and \$38,300 PR in 2020-21 for rental costs on

a departmentwide basis. Funding would be divided as follows: (a) Division of Management Services (\$785,700 GPR and \$18,800 PR in 2019-20 and \$932,600 GPR and \$39,100 PR in 2020-21); (b) Division of Adult Institutions (\$56,700 GPR annually and \$100 PR annually); (c) Division of Community Corrections (-\$803,700 GPR and \$1,400 PR in 2019-20 and -\$354,000 GPR and \$2,800 PR in 2020-21); (d) Secretary's Office (\$100 GPR annually); (e) Parole Commission (-\$82,300 GPR annually) and (f) Division of Juvenile Corrections (-\$900 GPR and -\$12,100 PR in 2019-20 and -\$700 GPR and -\$3,700 PR in 2020-21). Base funding for rent costs is \$19,887,500 GPR and \$1,253,100 PR.

#### 6. FINGERPRINTING SCANNER MACHINES

9,400
)

Governor/Legislature: Provide \$125,800 in 2019-20 and \$13,600 in 2020-21 for the replacement of current fingerprint scanner machines and the purchase of additional fingerprint scanner machines for both offender fingerprinting and employee fingerprinting. Funding includes: (a) \$112,200 for the one-time purchase of 18 new scanners in 2019-20; and (b) \$13,600 annually maintenance and repair.

#### 7. **REALIGNMENT OF POSITIONS -- ADULTS**

Governor/Legislature: Remove 8.0 GPR positions annually, provide 8.0 PR positions annually, and transfer funding and positions between appropriations related to realignment of departmental activities as follows:

	Positions
GPR	- 8.00
PR	8.00
Total	0.00

#### **Realignment of Funding and Positions**

		Fu	nding	Posi	tions
<u>Appropriation</u>	<u>Program</u>	<u>GPR</u>	<u>PR</u>	<u>GPR</u>	<u>PR</u>
General Program Operations Waupun Central Warehouse Correctional Farms Prison Industries	Bureau of Finance and Administrative Services Bureau of Finance and Administrative Services Bureau of Finance and Administrative Services Bureau of Finance and Administrative Services		-\$231,300 402,000 -170,700	5.00	-2.00 -1.00 -2.00
General Program Operations Correctional Farms Prison Industries	Bureau of Technology Management Bureau of Technology Management Bureau of Technology Management		98,300 -98,300	1.00	-1.00
General Program Operations Correctional Farms Prison Industries	Badger State Industries Badger State Industries Badger State Industries		97,500 -97,500	1.00	-1.00
General Program Operations Correctional Farms	Correctional Farms Correctional Farms			-16.00	16.00
General Program Operations Correctional Farms Prison Industries	Waupun Correctional Institution Waupun Correctional Institution Waupun Correctional Institution		56,600 -56,600	1.00	-1.00
General Program Operations Services for Community Corrections Corrections Contracts and Agreements	Probation, Parole, and Extended Supervision Probation, Parole, and Extended Supervision Probation, Parole, and Extended Supervision	-\$198,700 -369,200 -9,391,500		-2.00 2.00	
Services for Community Corrections Corrections Contracts and Agreements Home Detention Services Sex Offender Management GPS Devices - Sex Offenders	Division of Community Corrections' Central Office Division of Community Corrections' Central Office	567,900 9,391,500	27,700 -909,100 -6,200		
Home Detention Services GPS Devices - Sex Offenders	Monitoring Center Monitoring Center		-27,700 6,200		
Sex Offender Management	Sex Offender Registry Program		909,100		
TOTAL		\$0	\$0	-8.00	8.00

# 8. PROGRAM REVENUE REESTIMATES -- ADULT PR \$9,100,000 CORRECTIONS

Governor/Legislature: Provide \$4,050,000 in 2019-20 and \$5,050,000 in 2020-21 associated with the funding adjustments identified in the table below. The table identifies the program revenue appropriations that would be affected by this item, by program area, the base funding amounts for these appropriations, the funding changes that would be made to these appropriations under this item and other items in the bill, and the total funding that would be budgeted for these purposes. Revenue for the programs identified below are generated from sales (Waupun central warehouse and Prison Industries), institutional canteen services, or from fees assessed to offenders in the adult correctional institutions, on community supervision, or on the sex offender registry (general operations; telephone commissions; probation, parole and extended supervision; and sex offender management).

		2019-20			2020-21		
	2018-19	Funding	Other		Funding	Other	
<u>Purpose</u>	<u>Base</u>	<u>Items</u>	<b>Budget Items</b>	<u>Total</u>	<u>Items</u>	<b>Budget Items</b>	<u>Total</u>
Waupun Central Warehouse	\$7,651,100	\$500,000	-\$158,400	\$7,992,700	\$700,000	-\$158,200	\$8,192,900
Canteen Operations	374,100	600,000	3,600	977,700	600,000	3,600	977,700
Prison Industries	22,708,800	-2,750,000	-208,900	19,749,900	-2,250,000	-203,100	20,255,700
Sex Offender Management	909,100	200,000	0	1,109,100	200,000	0	1,109,100
Telephone Company Commissions	1,404,600	1,000,000	0	2,404,600	1,000,000	0	2,404,600
General Operations	5,445,900	1,500,000	13,600	6,959,500	1,800,000	13,600	7,259,500
Probation, Parole, Ext. Supervision	5,286,000	3,000,000	4,800	8,290,800	3,000,000	4,800	8,290,800
Total PR Reestimates		\$4,050,000	)		\$5,050,000		

### **Adult Correctional Institutions**

### 1. ADULT CORRECTIONAL FACILITY POPULATIONS [LFB Paper 235]

**Governor:** Estimate an average daily population in adult correctional facilities and contract beds of 24,187 in 2019-20 and 24,659 in 2020-21. The following table identifies the estimated distribution of this population.

	March 15, 2019	Average Dail	y Population
	Actual Population	<u>2019-20</u>	<u>2020-21</u>
Institutions*	20,601	20,534	20,583
Centers	2,530	2,791	2,791
Contract Beds**	549	862	1,285
Total	23,680	24,187	24,659

<sup>\*</sup>Includes inmates placed at the Wisconsin Resource Center, operated by DHS (416 on March 15, 2019, and 386 for 2019-20 and 2020-21).

**Joint Finance/Legislature:** Reestimate the average daily population in adult correctional facilities and contract beds to 23,992 in 2019-20 and 24,354 in 2020-21. The following table identifies the estimated distribution of this population.

<sup>\*\*</sup>Contract bed populations include inmates held in federal facilities and in Wisconsin county jails.

	Reestimate	ed Average		
	Daily Po	opulation	Change:	from Bill
	<u>2019-20</u>	<u>2020-21</u>	<u>2019-20</u>	<u>2020-21</u>
Institutions	20,518	20,518	-16	-65
Centers	2,791	2,791		
Contract Beds*	<u>683</u>	1,045	<u>-179</u>	240
Total	23,992	24,354	-195	-305

<sup>\*</sup>Contract bed populations include inmates held in federal facilities (28 beds annually) and in Wisconsin county jails (655 beds in 2019-20 and 1,017 beds in 2020-21).

# 2. POPULATION AND INFLATIONARY COST INCREASES -- ADULTS [LFB Paper 235]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$74,453,300	- \$593,100	\$73,860,200

**Governor:** Provide \$32,073,700 in 2019-20 and \$42,379,600 in 2020-21 to reflect population-related cost adjustments for prisoners in facilities operated by the Division of Adult Institutions, as follows: (a) \$699,000 in 2019-20 and \$1,315,400 in 2020-21 for food costs; (b) \$3,323,500 in 2019-20 and \$3,374,900 in 2020-21 for variable non-food costs, such as clothing, laundry, inmate wages, and other supplies; and (c) \$28,051,200 in 2019-20 and \$37,689,300 in 2020-21 for inmate health care. Funding for inmate health services assumes that per capita inmate costs would increase from an estimated \$4,282 in 2018-19 to \$4,651 in 2019-20 and \$5,053 in 2020-21. Health care costs include pharmaceutical costs, third party administrator costs, on-site contracted health staff, and contracting costs with the University Hospital and Clinics, the UW Medical Foundation, Waupun Memorial Hospital, and other community hospitals.

**Joint Finance/Legislature:** Modify the provision by -\$111,700 in 2019-20 and -\$481,400 in 2020-21. This reduction includes: (a) -\$20,400 in 2019-20 and -\$84,500 in 2020-21 for food costs; (b) -\$16,900 in 2019-20 and -\$68,500 in 2020-21 for variable non-food costs; and (c) -\$74,400 in 2019-20 and -\$328,400 in 2020-21 for inmate health care.

### **3. PRISON CONTRACT BED FUNDING** [LFB Papers 235 and 408]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$24,828,400	- \$10,048,800	\$14,779,600

**Governor:** Provide \$8,425,300 in 2019-20 and \$16,403,100 in 2020-21 for prison contract beds. The bill projects a total need of 1,367 contract beds in 2019-20 and 1,790 contract beds in

2020-21. Included in the number of contract beds are approximately 500 beds the Division of Community Corrections would use for extended supervision sanctions and 33 beds the Department would use for inmates in federal facilities, adult inmates in Division of Juvenile Corrections facilities, and temporary lock-ups of inmates from correctional centers. The total bed projection also assumes that the Milwaukee House of Corrections will be used for 180 inmates annually. Base funding for the contract bed appropriation is \$21,498,100 GPR.

**Joint Finance/Legislature:** Modify the provision by -\$4,451,500 in 2019-20 and -\$5,597,300 in 2020-21. This reduction includes: (a) -\$3,362,100 in 2019-20 (-179 beds) and -\$4,507,900 in 2020-21 (-240 beds) for contract bed reestimates; and (b) -\$1,089,400 annually for a reduction in 58 beds annually due to the Wisconsin Resource Center expansion. [See "Health Services -- Care and Treatment Services."]

### **4. FUEL AND UTILITIES** [LFB Paper 236]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$2,979,100	- \$1,005,000	\$1,974,100

**Governor:** Provide \$1,226,400 in 2019-20 and \$1,752,700 in 2020-21 associated with estimated funding for fuel and utilities in adult correctional institutions. Current base funding for the fuel and utilities appropriation is \$25,438,700.

**Joint Finance/Legislature:** Modify the provision by -\$502,500 annually to reflect a correction to the fuel and utilities cost estimate for Corrections' adult institutions.

#### 5. BARRACKS OPERATION AND STAFFING [LFB Paper 237]

	Governor (Chg. to Base) Funding Positions	Jt. Finar (Chg. t Funding	o Gov)		Change Positions
GPR	\$6,056,400 72.00 -	- \$6,056,400	- 72.00	\$0	0.00

**Governor:** Provide \$6,056,400 and 72.0 positions in 2020-21 for the operation and staffing of two 144-bed barracks units located at Jackson Correctional Institution in Jackson County and one 144-bed barracks unit located at Taycheedah Correctional Institution in Fond du Lac County. Jackson Correctional Institution would have \$3,936,900 and 46.0 positions, including: 30.0 correctional officers, 9.0 nurses, 2.0 social workers, 2.0 teachers, 1.0 psychologist, 1.0 food service leader, and 1.0 sentencing associate. Taycheedah Correctional Institution would have \$2,119,500 and 26.0 positions, including: 15.0 correctional officers, 6.0 nurses, 1.0 psychologist, 1.0 social worker, 1.0 teacher, 1.0 food service leader, and 1.0 sentencing associate. If approved as a part of the Capital Budget, each barrack will house 144 inmates.

Joint Finance/Legislature: Delete provision.

# 6. RACINE CORRECTIONAL INSTITUTION HEALTH SERVICES UNIT EXPANSION [LFB Paper 238]

	Governor (Chg. to Base) Funding Positions	(Chg. t	nce/Leg. to Gov) Positions	Net C	
GPR	\$3,869,700 26.95	- \$172,700	0.00	\$3,697,000	26.95

**Governor:** Provide \$1,045,300 in 2019-20 and \$2,824,400 in 2020-21 and 26.95 positions annually for expansion of the health services unit at Racine Correctional Institution. Staffing includes: 5.25 correctional officers, 9.90 nurse clinicians, 6.60 licensed practical nurses, 2.80 medical program assistants, 1.0 physical therapy assistant, 0.60 dentist, 0.2 dental hygienist, and 0.60 dental assistant. The health services unit is expected to open in April, 2020.

**Joint Finance/Legislature:** Modify the provision by -\$57,600 in 2019-20 and -\$115,100 in 2020-21 to account for expected overtime savings associated with offsite medical visits.

#### 7. STAFFING FOR COLUMBIA CORRECTIONAL INSTITUTION [LFB Paper 238]

	Governor (Chg. to Base) Funding Positions	(Chg. 1	nce/Leg. to Gov) Positions	Net C	
GPR	\$1,090,100 11.75	- \$31,800	0.00	\$1,058,300	11.75

**Governor:** Provide \$489,800 in 2019-20 and \$600,300 in 2020-21 and 11.75 positions annually to provide additional staff for the new restrictive housing program building and for the expansion of the health services unit (HSU) at Columbia Correctional Institution. Funding includes: (a) \$588,500 in 2019-20 and \$673,300 in 2020-21 to fund 9.0 correctional officer positions for the health services unit; (b) \$115,200 in 2019-20 and \$131,600 in 2020-21 to fund 1.75 correctional officer positions for the restrictive housing program building; (c) \$60,600 in 2019-20 and \$71,600 in 2020-21 to fund 1.0 social worker position for the restrictive housing program building; (d) \$26,600 in 2019-20 and \$24,900 in 2020-21 associated with staff supplies and services (one-time radio purchases for security posts, ongoing costs for radios, and night and weekend differential salary and fringe); and (e) -\$301,100 annually for a reduction in overtime.

The restrictive housing program building and the health services unit expansion aim to address the high proportion of inmates with complex health needs and inmates in restrictive housing. The new HSU and the expansion of restricted housing were authorized under 2013 Act 20. The expanded health services unit opened in September, 2018; the restrictive housing facility opened in April, 2019.

**Joint Finance/Legislature:** Modify the provision by -\$10,600 in 2019-20 and -\$21,200 in

2020-21 to account for expected overtime savings associated with offsite medical visits.

# 8. FULL FUNDING OF COLUMBIA CORRECTIONAL INSTITUTION HEALTH SERVICES UNIT

GPR \$75,200

**Governor/Legislature:** Provide \$37,600 annually to fund non-salary costs funded for a partial year in 2018-19 associated with the expansion of the health services unit at Columbia Correctional Institution.

# 9. WISCONSIN SECURE PROGRAM FACILITY PROGRAMMING EXPANSION [LFB Paper 238]

		ernor o Base) Positions	(Chg.	nce/Leg. to Gov) Positions		Change Positions
GPR	\$420,900	11.25	- \$18,800	- 1.00	\$402,100	10.25

**Governor:** Provide \$420,900 and 11.25 positions in 2020-21 for a new inmate programs building at the Wisconsin Secure Program Facility (WSPF). The inmate programs building was enumerated in 2017 Act 59 to add space for a gymnasium, programming, education, and religious services. Funding for operational costs include: (a) \$259,100 for 8.25 correctional officers; (b) \$22,900 for 1.0 teacher; (c) \$37,800 for 2.0 recreation leaders; and (d) \$101,100 for institutional supplies and services. The building is expected to open in April, 2021. On an annualized basis, expansion of WSPF programming, as requested, is estimated to cost \$948,000.

**Joint Finance/Legislature:** Modify the provision by -\$18,800 and -1.0 position in 2020-21 associated with the removal of 1.0 recreation leader position.

# 10. FULL FUNDING OF OSHKOSH CORRECTIONAL INSTITUTION HEALTH SERVICES UNIT

GPR \$189,200

**Governor/Legislature:** Provide \$94,600 annually to fund non-salary costs funded for a partial year in 2018-19 associated with the expansion of the health services unit at Oshkosh Correctional Institution.

#### 11. INSTITUTIONAL REPAIR AND MAINTENANCE

GPR \$904,000

**Governor/Legislature:** Provide \$357,200 in 2019-20 and \$546,800 in 2020-21 for repair and maintenance costs associated with services and materials for adult institutions.

#### **12. TECHNICAL MOBILE LABS** [LFB Paper 240]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$880,000	- \$880,000	\$0

Governor: Provide \$440,000 annually to support technical mobile labs, including: \$200,000 annually for updating and replacing program equipment and \$240,000 annually for instructional costs at two technical mobile lab sites, anticipated to open in spring, 2019 (one welding mobile lab to be shared between Taycheedah Correctional Institution and Kettle Moraine Correctional Institution and one electrical/mechanical mobile lab to be shared between Jackson Correctional Institution and New Lisbon Correctional Institution). A mobile lab is a self-contained classroom inside a trailer located on institution grounds. The welding mobile lab would train eight students in each cohort, with a total of three cohorts per year. The electrical/mechanical mobile lab would train 12 students in each cohort, with a total of three cohorts per year. The Department currently operates one computer numerical control (CNC) mobile lab located at Racine Correctional Institution. In 2017-18, 23 students earned a 16-credit CNC Operator Certification from Gateway Technical College in the CNC mobile lab.

**Joint Finance/Legislature:** Delete provision. Require instead that the Department of Workforce Development provide \$200,000 in 2019-21 and \$320,000 in 2020-21 in Fast Forward grant funding for this item. [See "Workforce Development -- Employment and Training."]

#### 13. WINDOWS TO WORK EXPANSION [LFB Paper 241]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$500,000	- \$100,000	\$400,000

Governor: Provide \$250,000 annually to expand the Windows to Work program to include the Racine Youthful Offender Correctional Facility, increase programming at Kettle Moraine Correctional Institution and the Milwaukee Secure Detention Facility, and increase services to individuals returning to Milwaukee County. These expansions would result in having Windows to Work programming at every medium and minimum security prison throughout Wisconsin. The Windows to Work program is a pre- and post-release program designed to address criminogenic needs that can lead to recidivism. While still incarcerated, inmates participate in programming including cognitive intervention, general work skills and expectations, financial literacy, community resources, job seeking, applications and resumes. Post-release includes assistance in job search and job retention activities for approximately 12 months after release. In 2017-18, the Windows to Work program had 507 newly enrolled participants, and an average daily population of 450 participants. The program is currently budgeted at \$1,492,200.

**Joint Finance/Legislature:** Reduce funding by \$50,000 annually.

#### 14. INSTITUTIONAL JOB CENTERS

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$150,000	- \$150,000	\$0

**Governor:** Provide \$75,000 annually to support supplies and services (including the purchase of furniture, computers, whiteboard installations, ceiling fans, and wiring infrastructure) for two new institution-based job centers in 2019-20 and two additional new job centers in 2020-21. The locations for the new job centers have not been determined. Institution based job centers help prepare inmates to search, apply, and prepare for post-release employment. Staffing is provided by the local workforce development boards and the Department of Workforce Development. The Department of Corrections anticipates that each center will serve 30 to 50 inmates per month. The Department currently has one institutional job center located at Oakhill Correctional Institution.

**Joint Finance/Legislature:** Delete provision. Require instead that the Department of Workforce Development provide \$225,000 in 2019-20 and \$262,500 in 2020-21 in Fast Forward grant funding for this item. This funding is intended to allow the Department of Corrections to operate job centers in all minimum- and medium-security institutions. [See "Workforce Development -- Employment and Training."]

#### 15. VEHICLE REPLACEMENT

GPR	\$479,000
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**Governor/Legislature:** Provide \$374,500 in 2019-20 and \$104,500 in 2020-21 for the replacement of buses, including: \$270,000 in 2019-20 for three Division of Adult Institutions handicap minibuses and \$104,500 annually for lease payments.

# 16. LOCAL LAW ENFORCEMENT REIMBURSEMENT FOR CERTAIN VILLAGES

GPR \$120,000

**Joint Finance/Legislature:** Provide \$60,000 annually to the Department of Corrections' general program operations appropriation to reimburse villages with maximum-security correctional institutions for actual expenses associated with providing local law enforcement investigation services to institutions. This provision only applies to the Village of Allouez and the Green Bay Correctional Institution.

#### 17. NEW MAXIMUM-SECURITY CORRECTIONAL FACILITY

**Joint Finance/Legislature:** As part of the 2019-21 capital budget, provide \$5,000,000 of general fund supported borrowing for land acquisition, utility extensions, and a request for proposal for a new maximum security correctional facility to replace the Green Bay Correctional Institution in the 2019-21 building program. Enumerate this project at a total cost of \$5,000,000. Require that land

acquisition would occur no later than December 1, 2020, and that utility extensions would occur no later than October 1, 2021. Require the Building Commission to authorize, in its recommendations for the 2021-23 building program, a specific amount of additional general fund supported borrowing sufficient to complete construction of the correctional facility enumerated under this item. [See "Building Program."]

**Veto by Governor [A-1]:** Delete provisions related to the Green Bay Correctional Institution, so that as vetoed, a \$5,000,000 project is enumerated for correctional facility construction and the borrowing must be expended for a correctional facility.

[Act 9 Sections: 9104(1)(c)1.c. and 9104(7)]

[Act 9 Vetoed Sections: 9104(1)(c)1.c. and 9104(7)]

### **Community Corrections**

#### 1. EXPANSION OF OPENING AVENUES TO REENTRY SUCCESS [LFB Paper 245]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$7,828,100	- \$5,432,100	\$2,396,000

**Governor:** Provide \$3,926,500 in 2019-20 and \$3,901,600 in 2020-21 to expand the Opening Avenues to Reentry Success (OARS) program statewide and to increase the number of participants in each county. The OARS program began as a pilot program in 2011, providing intensive case management and mental health services to serious mentally ill offenders. To qualify for participation, an offender must: (a) volunteer for participation; (b) be referred to the program by Correctional staff; (c) be assessed at medium- or high-risk to reoffend; (d) be diagnosed with a serious mental illness; (e) have at least six months of post-release supervision remaining on their sentence; and (f) be in a county where OARS programming is provided (currently 44 counties). Services are provided based on each offender's needs and may include intensive case management and supervision, assistance with obtaining and maintaining safe affordable housing, resources for medication and access to psychiatric care, treatment addressing criminogenic needs, access to local transportation, budgeting, and financial resources, employment, and education. In 2017-18, the OARS program had 306 participants, with an average daily population of 164 participants. The additional funding is intended to allow for an average daily population of 400 participants. The program is currently budgeted at \$2,930,400. [See "Health Services -- Care and Treatment Services."]

**Joint Finance/Legislature:** Modify the provision by -\$2,728,500 in 2019-20 and -\$2,703,600 in 2020-21. Funding provided would include the following: (a) \$330,000 annually to expand OARS to seven additional counties; and (b) \$868,000 annually to expand the average

### 2. SEX OFFENDER TRACKING [LFB Paper 246]

**Governor/Legislature:** Provide \$1,593,100 GPR, \$10,900 PR, and 24.0 GPR positions in 2019-20 and \$3,155,000 GPR, \$29,400 PR, and 39.0 GPR positions in 2020-21 to supervise

	Funding	Positions
GPR	\$4,748,100	39.00
PR	40,300	0.00
Total	\$4,788,400	39.00

increased sex offender populations under the authority of the Division of Community Corrections. Staffing for sex offender tracking includes: 12.0 positions for probation, parole, and extended supervision in 2019-20 (including 7.0 probation and parole agents) and 23.0 positions for probation, parole, and extended supervision in 2020-21 (including an additional 8.0 probation and parole agents), 6.0 positions annually for the sex offender registry program, and 6.0 positions for the monitoring center in 2019-20 and 10.0 positions for the monitoring center in 2020-21. The Governor's funding and staffing recommendations are based on an estimated annual admissions increase in the sex offender population requiring global positioning system monitoring of 167 individuals 2019-20 and an additional 215 individuals in 2020-21. As of July 1, 2018, the Department was maintaining lifetime GPS tracking for 997 individuals and was utilizing GPS tracking (non-lifetime) for 480 individuals, for a total of 1,477.

# 3. GLOBAL POSITIONING SYSTEM (GPS) TRACKING REESTIMATE

GPR	\$310,600
PR	15,400
Total	\$326,000

**Governor/Legislature:** Provide \$155,300 GPR and \$7,700 PR annually to fund non-salary costs funded for a partial year in 2018-19 associated with global positioning system tracking.

#### 4. REPEAL PARDON AND RELEASE REPORTING REQUIREMENT

Governor: Repeal the provision created in 2017 Act 369 that requires the Department, at the request of the Legislature, to post on its website and submit to the Chief Clerk of each house of the Legislature a report regarding individuals who, since the previous report was submitted or during a date range specified in the request, were pardoned or released from prison without completing the imprisonment portion of their sentence. The report requires identification of the individual's name, the crime for which he or she was convicted, and the name of the person who pardoned the individual or authorized the release of the individual before the individual competed his or her sentence. In addition, if an individual appearing on a report under the provision is convicted of a crime, the report requires identification of the individual's name and crime.

Joint Finance/Legislature: Delete provision.

#### **Juvenile Corrections**

### 1. **JUVENILE POPULATION ESTIMATES** [LFB Paper 252]

**Governor**: Under the bill, the juvenile correctional facility average daily population (ADP) is estimated to be 181 annually as shown in the table below. The juvenile facilities include Lincoln Hills School (LHS) (males), Copper Lake School (CLS) (females), the Mendota Juvenile Treatment Center (MJTC), and the Grow Academy, an agriculture science-based experiential education program held at a facility in Oregon, Wisconsin.

	Mar. 15, 2019	Average Dai	ly Population
<u>Facilities</u>	Actual Population	<u>2019-20</u>	<u>2020-21</u>
Lincoln Hills School	133	131	131
Copper Lake School	13	15	15
Mendota Juvenile Treatment Center	24	29	29
Grow Academy	3	<u>6</u>	<u>6</u>
Total Juvenile Correctional Facility	173	181	181

**Joint Finance/Legislature:** Reestimate the juvenile ADPs to be 169 annually at the juvenile correctional facilities.

	Reestima	ted ADPs
<u>Facilities</u>	<u>2019-20</u>	<u>2020-21</u>
	400	100
Lincoln Hills School	122	122
Copper Lake School	17	17
Grow Academy	5	5
Mendota Juvenile Treatment Center	<u>25</u>	<u>25</u>
Total Juvenile Correctional Facility	169	169

#### 2. STATUTORY DAILY RATES [LFB Paper 254]

**Governor:** Provide the following statutory daily rates to be established for juvenile correctional services provided or purchased by the Department that would be charged to counties or paid by the state through the serious juvenile offender appropriation. The bill would specify two daily rates for 2020-21 due to PR funding associated with 14 additional beds at Mendota Juvenile Treatment Center which are scheduled to open in January, 2021.

	Statutory Rates		Governor	
	7-1-18 thru	7-1-19 thru	7-1-20 thru	1-1-21 thru
	<u>6-30-19</u>	<u>6-30-20</u>	<u>12-31-20</u>	<u>6-30-21</u>
Juvenile Correctional Facilities*	\$397	\$501	\$513	\$588

<sup>\*</sup>Includes: (a) transfers from a juvenile detention facility to the Mendota Juvenile Treatment Center; and (b) youth under 18 with adult sentences.

Under current law, daily rates for juvenile care in a given biennium are specified in statute by fiscal year for juvenile correctional facilities. Further, the daily rate for the juvenile correctional facilities currently includes a \$6 add-on to address the juvenile operations appropriation deficit.

**Joint Finance/Legislature:** Reestimate the daily rates as identified in the below table. The reestimated rates are based on: (a) updated juvenile population projections; and (b) incorporating Committee actions identified in the subsequent summary entries. Further, maintain a \$6 add-on to the daily rates for the juvenile correctional facilities to address the juvenile operations appropriation deficit.

		7-1-20 thru	1-1-21 thru
	<u>2019-20</u>	<u>12-31-20</u>	<u>6-30-21</u>
Juvenile Correctional Facilities	\$532	\$550	\$615

[Act 9 Sections: 1980 and 1981]

#### 3. SERIOUS JUVENILE OFFENDER FUNDING [LFB Paper 254]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	- \$3,519,300	- \$1,565,300	- \$5,084,600

**Governor:** Reduce funding by \$2,914,200 in 2019-20 and \$605,100 in 2020-21 related to provide juvenile institution care, alternate care, and community supervision for serious juvenile offenders (SJO). Decreased costs are associated with a decrease in the estimated average daily population (ADP). The estimated ADP for the SJO population would be 116 in 2019-20 and 104 in 2020-21. Base funding for the program is \$19,077,000 GPR annually. In January, 2019, SJO had an average ADP of 113 juveniles. The following ADPs for the SJO appropriation, are projected for the 2019-21 biennium:

#### **Average Daily Population**

	<u>Serious Juver</u>	ile Offenders
Type of Care	<u>2019-20</u>	<u>2020-21</u>
Juvenile Corrections Facilities Community Supervision Program Total ADP	45 <u>71</u> 116	58 <u>46</u> 104
Alternate Care*	31	20

<sup>\*</sup> A subset of the community supervision program (corrective sanctions and aftercare supervision) program that includes residential care centers, group homes, treatment foster homes, and certain supplemental living arrangements.

**Joint Finance/Legislature:** Decrease funding by -\$886,200 in 2019-20 and -\$679,100 in 2020-21 as a result of reestimated populations and statutory daily rates. The following ADPs for the SJO appropriation, are projected for the 2019-21 biennium:

#### **Reestimated SJO Average Daily Population**

	Serious Juvenile Offender		
Type of Care	<u>2019-20</u>	<u>2020-21</u>	
Juvenile Corrections Facilities	38	52	
Community Supervision Program Total ADP	<u>72</u> 110	<u>46</u> 98	
Alternate Care <sup>1</sup>	31	20	

<sup>&</sup>lt;sup>1</sup> A subset of the community supervision program (corrective sanctions and aftercare supervision) program that includes residential care centers, group homes, treatment foster homes, and certain supplemental living arrangements.

### 4. MENDOTA JUVENILE TREATMENT CENTER REESTIMATE [LFB Paper 255]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	\$3,237,000	- \$449,100	\$2,787,900

**Governor:** Provide \$291,500 in 2019-20 and \$2,945,500 in 2020-21 related to payments to the Department of Health Services (DHS) for juveniles placed at the Mendota Juvenile Treatment Center. Increase the statutorily specified amount of funding Corrections is required to transfer to DHS from \$2,932,600 in 2018-19 to \$3,224,100 in 2019-20 and \$5,878,100 in 2020-21. The Department contracts with DHS for 29 mental health beds for juveniles. Starting January 1, 2021, funding would support an additional 14 beds.

**Joint Finance/Legislature:** Modify the statutory transfer amount to require a PR transfer of \$5,429,000 in 2020-21 to reflect a reduction of position authority associated with the 14 bed expansion in 2020-21. Decrease funding in Corrections' juvenile correctional services appropriation by -\$449,100 PR in 2020-21 to reflect the reestimate.

[Act 9 Section: 440]

#### 5. **POPULATION AND INFLATIONARY COSTS** [LFB Paper 252]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
PR	\$250,600	- \$118,100	\$132,500

**Governor:** Modify population-related funding for juvenile corrections by \$54,300 in 2019-20 and \$196,300 in 2020-21, as follows: (a) -\$113,400 in 2019-20 and -\$107,000 in 2020-21 for food costs at juvenile correctional facilities; (b) -\$52,000 annually for variable non-food costs (such as clothing, laundry, and personal items); and (c) \$219,700 in 2019-20 and \$355,300 in 2020-21 for juvenile health costs.

**Joint Finance/Legislature:** Decrease funding by \$55,200 in 2019-20 and \$62,900 in 2020-21 as a result of reestimated juvenile population projections.

#### 6. JUVENILE PROGRAM REVENUE REESTIMATES

PR - \$6,648,600	0
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**Governor/Legislature:** Reduce funding by \$3,454,400 in 2019-20 and \$3,194,200 in 2020-21 associated with the funding adjustments identified in the table below. The table identifies the reason for the reestimate, base funding amounts for these appropriations, funding changes, and the total funding that would be budgeted as a result of the reestimates.

<u>Reason</u>	2018-19 <u>Base</u>	2019-20		2020-21	
		Funding Adjustment	Total	Funding Adjustment	Total
Salary and Fringe Residential Aftercare Utilities and Heating	\$30,426,200 7,763,400 367,900	-\$263,000 -3,163,800 <u>-27,600</u>	\$30,163,200 4,599,600 340,300	-\$263,000 -2,911,300 -19,900	\$30,163,200 4,852,100 348,000
Total PR Reestimates		-\$3,454,400		-\$3,194,200	

#### 7. AGE OF JUVENILE JURISDICTION

Governor: Modify current law, effective January 1, 2021, to specify that persons who have not attained the age of 18 years to be subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, subject to an array of dispositions under that code

including placement in a juvenile correctional facility. Similarly, modify from 17 to 18 the age at which a person who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court.

Under current law, a person 17 years of age or older who is alleged to have violated a criminal law is subject to adult procedures and sentencing under the Criminal Code, which may include a sentence of imprisonment in the Wisconsin state prisons. Subject to certain exceptions, a person under 17 years of age who is alleged to have violated a criminal law is subject to the procedures specified in the Juvenile Justice Code and, on being adjudicated delinquent, is subject to an array of dispositions under that code including placement in a juvenile correctional facility. Similarly, under current law, a person 17 years of age or older who is alleged to have violated a civil law or municipal ordinance is subject to the jurisdiction and procedures of the circuit court or, if applicable, the municipal court, while a person under 17 years of age who is alleged to have violated a civil law or municipal ordinance, subject to certain exceptions, is subject to the jurisdiction and procedures of the court assigned to exercise jurisdiction under the Juvenile Justice Code. [For information on funding provided to counties associated with the age of juvenile jurisdiction, see "Children and Families -- Youth Services -- Juvenile Justice."]

Joint Finance/Legislature: Delete provision.

# 8. YOUTH WITH ADULT SENTENCES CONTRACT BED FUNDING [LFB Paper 254]

GPR \$683,500

**Joint Finance/Legislature:** Increase contract bed funding by \$96,600 in 2019-20 and \$586,900 in 2020-21 for an estimated 24 youthful adult offenders placed in juvenile facilities as a result of the modification in the daily rate. Total funding would be \$4,506,200 in 2019-20, and \$5,098,300 in 2020-21. Base funding was \$5,071,700 annually (for 35 youth).

## 2017 Act 185 Implementation

Under 2017 Act 185, the Department of Corrections is required to establish new Type 1 juvenile correctional facilities by January 1, 2021, subject to the approval of the Joint Finance Committee (JFC). The act also authorized \$25 million in bonding for the new facilities. The Department of Health Services (DHS) is required to expand the Mendota Juvenile Treatment Center (MJTC), subject to the approval of JFC, and \$15 million in bonding for the expansion is authorized. Further, Act 185 requires the state to close the Lincoln Hills School and Copper Lake School by January 1, 2021, and authorizes Corrections to convert those facilities into an adult correctional facility. Changes under the bill to Act 185 provisions related to Corrections are summarized below.

In addition, under Act 185 counties are authorized to establish secured residential care centers (SRCCs) and authorized \$40 million in bonding. Further, Act 185 creates a grant program under which counties may apply by March 31, 2019, for state funding towards the cost of

establishing or constructing SRCCs.

Once the SRCCs are established, the supervision of a juvenile under a correctional placement would transfer to the county department of human services or social services (county department) of the county in which the juvenile was adjudicated delinquent. Further, Act 185 expands the authorized uses of youth aids for program costs in juvenile detention facilities and SRCCs. Under Act 185, counties operating SRCCs could be eligible for a bonus payment from a new appropriation to offset a portion of their operating costs, and counties operating female SRCCs could qualify for additional funding to offset operating losses.

The following agencies were required to include in their 2019-21 agency budget requests costs associated with Act 185: (a) DHS included the cost for staffing, operating, and maintaining the expansion of the Mendota Juvenile Treatment Center; (b) Corrections included the cost for staffing, operating, and maintaining the new Type 1 juvenile correctional facilities constructed or established; and (c) the Department of Children and Families (DCF) included the cost to provide bonuses to counties that operate a joint SRCC.

Under the bill, various provisions relating to Act 185 are modified. Summaries of these modifications can be found under each agency.

# 1. **DEPARTMENT OF CORRECTIONS -- JUVENILE JUSTICE PROVISIONS** [LFB Paper 251]

**Governor:** Modify Act 185 in the following ways:

Juvenile Corrections Grant Committee. Act 185 formed a juvenile corrections grant committee to evaluate applications from counties to construct SRCC's, which included 10 members of which three are to be appointed from each house of the Legislature. Under the bill, one member appointed from each house would be required to be a member of the minority party. In addition, the grant committee termination date of January 1, 2021 would be removed and instead the committee would terminate when all grants are completed.

Grant Application Deadlines. Under the bill, the grant program deadlines would be extended by three months, so that county applications would be due by June 30, 2019, and grant committee plan recommendations would be due to the Joint Committee on Finance by October 1, 2019. Under Act 185, grant applications are due by March 31, 2019, and plan recommendations must be submitted to the Joint Committee on Finance by July 1, 2019.

New County and State Facility and Closure of Lincoln Hills Deadlines. Under the bill, the January 1, 2021, deadline for closing Lincoln Hills and Copper Lake schools and for constructing the new SRCC and new state-run juvenile correctional facility would be removed. Instead, Corrections would transfer juveniles as soon as a substitute placement that meets the needs of the juvenile are ready. Once all juveniles are transferred to SRCC's or the new state facility, Lincoln Hills would be closed.

Act 185 requires the current juvenile correctional facility owned and operated by the

Department of Corrections (Lincoln Hills and Copper Lake schools) to be closed no later than January 1, 2021, or when all of the juveniles that are held there are transferred to the new countyrun SRCC or a new state-run juvenile correctional facility.

Grandfathered Juvenile Detention Facilities. Under the bill, the provision describing limitations on the population and alteration of county juvenile detention facilities is repealed and then recreated on the date that Corrections sends notice to the Legislature that Lincoln Hills is closed rather than January 1, 2021.

*Juvenile Corrections Study Committee*. Under the bill, the 25-member juvenile study committee termination date of January 1, 2021, would be removed. Instead, the Committee would terminate when all juvenile corrections grants are completed.

Approval of Individual Grants. Under the bill, before the submission of the statewide plan on October 1, 2019, to JFC, the Juvenile Corrections Grant Committee may submit individual grant recommendations to JFC which would be reviewed a 14-day passive review process.

Joint Finance/Legislature: Delete provisions.

#### 2. COUNTY SECURED RESIDENTIAL CARE CENTER GRANTS

**Joint Finance/Legislature:** Transfer bonding authority in 2017 Act 185 for Corrections (\$25 million) and Health Services mental health facilities (\$15 million) to the bonding authorized for grants to counties for the construction of SRCCs. Bonding for this purpose is increased from \$40 million to \$80 million. The Corrections Type 1 facility and MJTC projects remain enumerated but with \$0 bonding authority. [See "Building Program."]